

II. General Allegations

5. Plaintiff, Purnice Dortch, was hired by Defendant Applebee's during May of 2008, as a crew member at Defendant's restaurant located in McMinn County, Tennessee.

6. During his employment, Plaintiff performed his job duties acceptably within the guidelines established by Applebee's and generally applicable to its employees.

7. During his employment, Plaintiff was paid less than similarly situated white employees. For example, while Plaintiff was paid \$8.00 per hour, similarly situated white employees were paid \$9.00 per hour or more.

8. Although Plaintiff performed well and was trained in all back of the house positions, he was not given a raise while similarly situated white employees were given raises.

9. During his employment, Plaintiff became subject to harassment based on his race. This harassment included racially derogatory statements such as the repeated use of the "N" word.

10. Plaintiff, who is also disabled was called both a "n____" and a black gimp. This behavior was experienced by Plaintiff until he resigned his employment in December of 2010.

11. The offensive racially based behavior which Plaintiff has experienced was observed by Defendant's management.

12. Plaintiff also complained to Defendant's management about the racially based harassment which he was experiencing in the workplace.

13. Although Defendant's management was aware of the harassment to which Plaintiff was subjected, it took no effective remedial measures to protect him.

Paty, Rymer & Ulin, P.C.

Attorneys at Law
19 Patten Parkway
Chattanooga, TN 37402

III. Cause of Action

14. Plaintiff charges and alleges that because of the hostile environment and racial discrimination to which he was subjected, Defendant is guilty of violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*

IV. Damages

15. As a direct and proximate result of the acts and omissions of the Defendant, Plaintiff has suffered lost wages, mental pain and suffering, embarrassment, humiliation and general damages.

V. Relief Sought Against Defendant

WHEREFORE, Plaintiff, prays that proper process issue and be served upon the Defendant in this action in the manner prescribed by law; and

WHEREFORE, Plaintiff demands judgment against the Defendant for compensatory damages, punitive damages, reasonable attorney fees and all costs; and

WHEREFORE, Plaintiff demands a jury to try all issues, when joined.

RESPECTFULLY SUBMITTED:

PATY, RYMER & ULIN, P.C.

By:



BPR #18760
Attorneys for Plaintiff
19 Patten Parkway
Chattanooga, TN 37402
R-Larramore@PRandUlaw.com
(423) 756-6770

Paty, Rymer & Ulin, P.C.

Attorneys at Law
19 Patten Parkway
Chattanooga, TN 37402